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In re Application of :
Weiss et al. : DECISION ON PETITION
Application No. 10/708,183 :
Filed: 13 February, 2004 :
Atty Docket No. OST-041076 :

This is a decision on the paper filed on 23 June, 2005, which is treated as a petition under 37 CFR **1.55(a)(2)**, for entry of priority papers submitted after the date the issue fee was paid.

The petition is **granted**.

Receipt is acknowledged of papers submitted under 35 U.S.C. § 119.

Petitioner is advised that the rule affecting the submission of a claim for priority of a certified priority document under 37 CFR 1.55(a) was changed effective November 7, 2000. In effect, the Office will permit applicants to file a priority claim or certified priority document with the processing fee set forth in 37 CFR 1.17(i) between the date the issue fee is paid and the date a patent is issued. The Office will, however, merely place such submission in the application file but will not attempt to determine whether the applicant has met the conditions of 35 USC 119(a)-(d) to make the priority claim information in the text of the patent. In such a situation, the patent will not contain the priority claim information. The patentee may request a certificate of correction under 35 USC 255 and 1.323 and a determination of entitlement for such priority will be made after the patent is granted. See Federal Register/Vol. 65, No. 175, September 8, 2000, page 54622.

As the patent has already issued, petitioners may request a Certificate of Correction including the requested data pursuant to the provisions of 37 CFR 1.323.

Telephone inquiries specific to this matter should be directed to Senior Petitions Attorney Douglas I. Wood at (571) 272-3231.

Frances Hicks

Frances M. Hicks

Lead Paralegal

Office of Petitions

Office of the Deputy Commissioner
for Patent Examination Policy